













## PRECEDING PAGE

## "CHINESE" WHISKY.

ALL QUESTION AS TO ITS INTOXICATING QUALITIES SETTLED.

Plute and Chinaman in Court—Experts on the Stand—The Heavens Offender Convicted.

The trial of the case of Fong Won in Justice Henry's Court yesterday proved quite edifying to all present, especially to such as happened to be interested in the temperance question. Fong Won, as his name indicates, is a heathen Chinese, and the charge against him was that of having bartered, for filthy lucre, a bottle of intoxicating liquor to a swarthy Plute who is known as his native name as "Buck-Nut-Ahead-of-the-Boat," but whose every-day name is Charlie Bliss. The prisoner was ably defended by Counselor Wharton, whose original, but vigorous, method of cross-examining witnesses struck terror into the ranks of the prosecution. It might have had an equally depressing effect upon the prisoner, but the latter fortunately could not understand the attorney's pure Anglo-Saxon and technical legal expressions, having been accustomed in his country to the half-and-half patois employed by some Chinese lawyers as C. T. Jones and Major Anderson.

Deputy District Attorney J. A. Bruner conducted the prosecution, assisted by farmer R. J. Merkle, on whose poor ranch the crime was committed. The bottle containing the fire-water occupied a conspicuous and inviting position on the desk of the Court, flanked as it was by a glass of generous dimensions. The plan of the prosecution was to first establish the fact, if possible, that the bottle contained an intoxicating fluid, and next that the prisoner sold it to the Indian.

To demonstrate the first proposition the prosecution placed on the stand a witness, Mr. Merkle, but his testimony thereon was not strong—not nearly so strong, in fact, as the amount of fire-water which the liquor itself, aided by the presence of the Chinaman and the Plute, Mr. Merkle, however, gave a full account of the circumstances attending the sale of the stuff, and retired.

After some further unimportant testimony was taken, the prosecution called Under-Sheriff Coons to testify as an expert concerning the intoxicating nature of the liquor. It seems that when the prisoner and his bottle were taken to the Sheriff's office Mr. Coons submitted the contents of the latter to a partial test, the careful nursing had sufficiently recovered to appear in Court. This fact was unknown to the prisoner's counsel, Mr. Bruner.

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Witness—"Because it does."

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A Kansas Union reporter called on one of the Directors of the asylum last evening, and asked her whether or not it was the intention of the management to take back the child from its present guardians, or to allow them to retain possession of her. In reply, the lady said that point had not been discussed by the Directors, and she could not possibly say what they would do in the matter. The Directors had no prejudice at all against Mrs. Bucklin, whom they always considered as a good lady, and one who might be apt to provide a nice home for the little orphan. However, they considered that it was only right and just that the managers of the asylum should be consulted before any child was taken away from the institution.

It would not be a very pleasant or harmonious state of affairs if any person were allowed to come to the asylum, pick out a child, and take it; and in many cases it would be a shame to let a little one go in this way. They wanted some assurance that those who adopted children were responsible parties and able to take care of their charges.

In conclusion, the lady stated that the Directors would probably have a meeting in the near future, at which the whole matter would be determined.

Mr. and Mrs. Bucklin and the child, Clara Chambers, are said to be in Stockton.

**LABOR TOPICS.**

Organization of a Council of Federated Trades—Angry Carpenters.

The Trades Unions of this city held a meeting last night for the purpose of organizing a Council of Federated Trades. A. Bushnell, President of the San Francisco Council, was present and assisted in the matter of organizing. Eleven unions were enrolled as follows: Carpenters, Painters, Plasterers, Plumbers and Gas-fitters, Tailors, Brewers, Boxmakers, Mold-makers, Compositors, Clagmakers, and Brick Masons.

The Carpenters' Union last night adopted resolutions condemning the action of the San Francisco Council of Federated Trades in questioning Coons as to the nature of the fluid when the prisoner's counsel interposed an objection, on the ground that it had not been shown that he was competent to determine that point.

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no relief.

THE SUPREME COURT RULES AGAINST MRS. HOAGLAND.

Final Decision in the Old Damage Claims Suit So Many Years in the Courts.

The following opinion of the Supreme Court was filed in the office of Clerk Williams, of the Sacramento District, yesterday. It is a case which has excited no little amount of interest in this city:

Mrs. J. M. Hoagland (administratrix of the estate of John Hoagland, deceased), appellant, vs. the State of California, respondent. This was an action for damages. A demurrer to the complaint was sustained, and judgment rendered against the plaintiff, from which she appealed.

The facts were about as follows: The plaintiff, Mrs. Hoagland, alleges that on the 8th day of April, 1882, her said late husband was, and for a long time prior thereto had been, the owner, in the possession of and entitled to the possession of a certain tract of land situated about half a mile above the town of Washington, on the west bank of the Sacramento river, in Yolo county, containing forty-one acres. She alleges that the American river is situated on the east side of the Sacramento river, and opposite her land, and the American river was, prior to 1882, so crooked and circuitous that its waters were greatly retarded in their flow into the Sacramento river at its mouth, and great quantities of water in the high stages of the said American river were consequently backed up against the levees of the city of Sacramento, and in the year 1882 and several years prior thereto, the levee and overflowed said city, destroying vast amounts of property and suspending all business in said city several months at a time.

To remedy these evils the Legislature passed an Act entitled "An Act concerning the construction and repair of levees in Sacramento county and the mode of raising revenue therefor." By said Act five Commissioners were appointed, to-wit: J. J. Levee, J. J. Levee, J. J. Levee, J. J. Levee, J. J. Levee, who were to be and were in fact, the Sacramento River Levee Commissioners, who by said Act were given discretionary power to turn any portion of the American river deemed by them necessary for the protection of Sacramento city.

In the fall of 1882 the Levee Commissioners straightened the bed of the said American river by constructing and opening a canal from it in a direct line to the Sacramento river, said canal entered the Sacramento river at right angles to that stream and directly opposite to the above described tract of land of plaintiff's said intestate. The natural and inevitable effect of the canal so opened was to throw the water of the American river, which flows across the Sacramento river against and upon said tract of land and to wash it away, and to destroy the houses, fences, orchard, live stock, household and kitchen furniture, beds, bedding, clothing, wagons, farming utensils, etc., and also the top of said tract of land, ten feet or more below the natural surface, converting said tract of land into a channel for the waters of the said river, flow annually for several months into the great tule basin which adjoins said tract of land on the west.

Plaintiff alleges that the bank of the said American river, through which the canal was cut, was a complete barrier which had always protected said land from the floods and current of said American river, and which, but for said canal, would have continued forever so to protect it.

She alleges that no compensation has been paid her or her said intestate for the property destroyed, and no authority was given to said State until the passage of an Act by the Legislature in 1885, entitled John Hoagland, James Reid, Mrs. Rebecca C. Hoagland, George F. Reid, William B. Reid, and others vs. the State of California, and that she and her said intestate, and also for her costs of suit.

The Supreme Court says that the above case is, in all material respects, the same as the case of *Hoagland vs. the State*, decided by the Supreme Court of California, in 1885, and that the plaintiff's claim is barred by the statute of limitations.

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The stone-pen is nearly ready for the rest of the gang.

Deputy Sheriff Morrison of Alameda last night brought up Manuel Lopez, sentenced to the Folsom Prison for five years for grand larceny. It is safe to say he stole horses.

John Well, assignee of the creditors of John J. Farabee, yesterday filed his bond in the sum of \$25,000, with M. Miller, John Grubler, A. Weinlich and A. Heilbronn as sureties.

A carpenter named J. Moss fell from the roof of a building at Agricultural Park yesterday, and received such severe injuries that he had to be carried to his home and a doctor called to attend him.



